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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 4696 **of 2005.**

Petitioner : *Pradip Mohanty, aged about 49 years, son of Shri Ashutosh Mohanty, Resident of Assistant, Trainnig Officer, I.T.I. Colony, I.T.I. Bastar, Thashil Bastar, District Bastar (C.G.)*

W.P. No. 4696/05
Presented by Shri R. Jaiswal
dated 14/9/05

V E R S U S

Respondents :

1. *State of chhattisgarh, Through-Secretary, ministry of Schedule Tribe and Schedule Cast Development,(Adim Jati Tatha Anushuchit Jati Vikash) D.K.S. Bhawan,Raipur, C.G.*

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2. *Joint Director, Directorate Employment and Training, Raipur, C.G.*

शपथ आयुक्त
बिलासपुर तहसील

3. *Commissioner, Tribal Development Bhopal , M.P.*

4. *Collector, Bastar Chhattisgarh.*

5. *District Coordinator,Tribal Welfare (Jila Sanyojak Adim Jati Kalyan) Department, Dantewada, Bastar, C.G.*

6. *Principal, I.T.I. Bastar, Tahshil and District Bastar, C.G.*

7. *Divisional Deputy Commissioner Tribal Development (Adivasi Vikash) Bastar, C.G.*

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7. *WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS CERTIORARI, PROHIBITION AND FOR OTHER SUITABLE WRIT OR WRITS ORDER OR ORDERS DIRECTION OR DIRECTIONS.*

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4696 **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	18.10.2005 W.P.No.4696/2005 Shri R.K.Jaiswal, counsel for the petitioner. Shri Pankaj Shrivastava, Panel Lawyer for the State/all the respondents except respondent No.3. Heard finally with the consent of the parties. By way of this writ petition, filed under Article 226/227 of the Constitution of India, the petitioner has prayed for issuance of a direction to the respondents to enter the name of the petitioner in the seniority list and to give him all monetary benefits, including promotion etc. according to the seniority so fixed and in consequence thereof. Learned counsel for the petitioner submits that the petitioner was initially appointed as Assistant Teacher in Tribal Welfare Department. Thereafter, his services were merged in I.T.I., Bastar for the post of Instructor of Social Study by the order of Commissioner, Tribal Development, Bhopal, passed on 26.6.1998 bearing No. 1782 and No. 176/19.2.1999. He further submits that the petitioner joined on the said post on 16.4.1999. He also submits that the Incharge, I.T.I. Bastar has published the list of regular employees	

SP/FS/2005 - 20,000

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ....W.P. 4696..... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

on 31.7.2005, in which the petitioner has been shown as a working employee in I.T.I. from 16.4.1999.

The submission of learned counsel for the petitioner is that though the petitioner is working as an Instructor since 16.4.1999, but his seniority is not fixed in the department and he is not getting other benefits according to the seniority which should have been fixed in case of the petitioner.

For the present, learned counsel for the petitioner submits that this petition may be disposed of with a liberty to the petitioner to file a detailed representation before the competent authority and the competent authority may be directed to dispose of his representation within the stipulated period granted by this Court.

This limited prayer, made by learned counsel for the petitioner is not opposed by the State counsel.

The same is allowed.

It is directed that if so advised, the petitioner may file a detailed representation alongwith a copy of this writ petition and a copy of this order before the concerned authority within a period of one month from today and if such a representation is filed, the concerned authority shall dispose of the same as early as possible

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4696 **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 3 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	preferably within a period of 3 months from the date of filing of the aforesaid representation by the petitioner. With the above observations, this petition stands finally disposed of at this stage. In view of this order, I.A.No.8413/2005 for urgent hearing stands disposed of. Certified copy as per rules. **Sd/-** **Sunil Kumar Sinha** **Judge**	

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